

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7
JUSTIN L. MARTIN, Missouri State Bar No. 62255
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-6401
Telephone: (206) 615-3735
Email: Justin.L.Martin@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

MATTHEW JOSEPH GOULART,)	CIVIL NO. 2:24-cv-02710-DMC
Plaintiff,)	
v.)	STIPULATION TO VOLUNTARY
CAROLYN COLVIN,)	REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security, ¹)	FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant.)	ENTRY OF JUDGMENT; ORDER

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 § 405(g), sentence four. On remand, the Appeals Council will remand the case to an
2 administrative law judge (ALJ) with instructions to reevaluate the medical opinions and prior
3 administrative medical findings; reevaluate Plaintiff's residual functional capacity; as needed,
4 continue the sequential evaluation process and obtain vocational expert testimony, if warranted;
5 take action to further develop the record, as necessary; offer Plaintiff the opportunity for a
6 hearing; and issue a new decision.
7

8 The parties further request that the Court direct the Clerk of the Court to enter a final
9 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Acting
10 Commissioner.
11

12 Respectfully submitted,

13 DATE: December 5, 2024

/s/ Francesco Paulo Benavides*

14 FRANCESCO PAULO BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on December 5, 2024

16 PHILLIP A. TALBERT

17 United States Attorney

18 MATHEW W. PILE

19 Associate General Counsel

20 Office of Program Litigation, Office 7

21 DATE: December 5, 2024

By: /s/ Justin L. Martin

22 JUSTIN L. MARTIN

Special Assistant United States Attorney

23 Office of Program Litigation, Office 7

24 Attorneys for Defendant
25
26
27
28

ORDER

Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the above-captioned action is remanded to the Acting Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation.

Dated: December 11, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE